

WEDNESDAY, JANUARY 27, 2010, 2:00 P.M.
Room 445, State Capitol

Members Present:

Sen. Howard A. Stephenson, Co-Chair
Rep. Merlynn T. Newbold, Co-Chair
Sen. Lyle W. Hillyard
Sen. D. Chris Buttars
Sen. Karen W. Morgan
Rep. Tim M. Cosgrove
Rep. Lorie D. Fowlke
Rep. Francis D. Gibson
Rep. Rebecca D. Lockhart
Rep. Marie H. Poulson
Rep. Phil Riesen

Members Absent: Rep. Kevin S. Garn
Rep. Gregory H. Hughes
Rep. Bradley G. Last

Staff Present: Ben Leishman, Legislative Fiscal Analyst
Patrick Lee, Legislative Fiscal Analyst
Karen C. Allred, Secretary

Public Speakers Present: Claudia Miner, Waterford Institute, Director, UpStart Program
Dr. Stefanie Rehn, Curriculum Outreach Director, UpStart Program
Dr. Thomas Higbee, Associate Professor, Utah State University,
Director, ASSERT Program
Cheryl Smith, President, Autism Council of Utah
Amy Peters, Autism and Behavior Specialist, Weber School District
Dr. Beth Foley, Department Head, Communicative Disorders and
Deaf Education, Utah State University
Larry Shumway, State Superintendent, Utah State Office of
Education
Todd Hauber, Associate Superintendent, Utah State Office of
Education

A list of visitors and a copy of handouts are filed with the Subcommittee minutes.

Co-Chair Stephenson called the meeting to order at 2:29 P.M.

1. Call to Order

Co-Chair Stephenson apologized for the late start, due to a special meeting off the hill.

2. **Approval of Minutes**

The minutes will be approved later in the meeting, when there is a quorum.

3. **Public Education General Budget Overview**

Analyst Ben Leishman referred the subcommittee to the handouts in the binder and explained the overview of the FY 2010 budget. The \$3.4 billion in FY 2010 funded 563,270 students and over 50,000 full-time equivalent (FTE) employees. State revenue provides 67% of the Public Education budget, 18% comes from local property tax revenues, and 13% from Federal Funds.

Co-Chair Stephenson asked for clarification on Federal Funds shown on chart two and four. Mr. Leishman responded that chart two reflects FY2010 and chart four shows FY2009 year end. Chart four does reflect district as well as State and Federal Funds.

Mr. Leishman continued that enrollment is growing steadily. He discussed charts showing class size, high school graduation statistics and the statewide criterion-referenced test scores. The Overall General Budget Table shows the actual and appropriated budget for FY 2009, as well as changes made; the revised budget for FY 2010; and the base budget for FY 2011.

4. **FY 2011 Base Budget**

Mr. Leishman explained format changes to the Minimum School Program Appropriations Act in order to reduce complexity and enhance understanding. He discussed the flow of the Appropriated Public Education Budget, which flows through the State Board of Education to the Minimum School Program, the School Building Program, and the Education Agencies. The format of the Base Budget Bill (HB 1) has also been changed to make Education Appropriations easier to understand and communicate.

Rep. Gibson asked for clarification on the Base Budget Bill page 3 where it breaks out by line item and what are the numbers compared to last year. He also asked if there will be a clean bill presented. Mr. Leishman responded that one of the problems of this new format is that we don't know what has been stricken. He explained the line items compared to last year to the Subcommittee.

Mr. Leishman referred the Subcommittee to the large, colorful spread sheet which

explains each step used to create House Bill 1 -- Minimum School Program: FY 2011 Base Budget. It includes the FY 2010 original appropriation and the FY 2011 WPU adjustments associated with enrollment growth. This is 98% of the ongoing base budget.

Rep. Gibson asked if it is 98% of the amount budgeted last year, reflecting that public education is experiencing a 2% cut? Mr. Leishman responded that it is 98% of the ongoing base for F 2010.

Sen. Buttars asked if the 2% achieved an across the board cut? Mr. Leishman responded yes and will explain further.

Mr. Leishman explained what each column represents on the base budget spread sheet.

Sen. Morgan asked for clarification on the revenue detail columns. Mr. Leishman responded that columns D & E are without the 2% cut, they are where FY 2011 starts, and one-time funds come out. Columns H & I have the 2% taken out of the changes reflected in columns G & E, which is a projected distribution.

Sen. Buttars commented that taking 2% across the board doesn't affect each program equally, and asked what is being affected the most. Mr. Leishman responded that no impact statements have been generated yet, and our meetings identify the needs.

MOTION: Sen. Buttars moved to approve the minutes of January 12, 2010 and January 20, 2010.

The motion passed unanimously.

Rep. Lockhart asked if the subcommittee is going to talk about the \$8 million dollars (referred to in the legislative initiative programs handout). Mr. Leishman responded that the subcommittee will talk about USOE initiatives and get the status of initiatives based in past years today and at future meetings the other parts of the budget flow pillars will be discussed.

5. Program Updates on New Initiatives

UpStart Program -- Co-Chair Stephenson explained that the Upstart Program is a home based pre-Kindergarten program and serves a significant portion of low income students

Claudia Miner, Waterford Institute, Director, UpStart Program introduced Dr. Stefanie Rehn and Dusty Heuston and distributed a handout to the subcommittee. She discussed concerns people voiced concerning the UpStart program and how they have been dealt with. Ms. Miner explained a statistical overview of the first year. She explained weekly

usage by demographics of ethnicity, household income, and WACS scores for students who entered Kindergarten in 2009. Waterford commissioned a survey (no UPSTART funds were used) and discussed some of the results of the study.

Co-Chair Newbold assumed the chair

Dr. Stefanie Rehn, Curriculum Outreach Director, UpStart, discussed an intervention program called Camp Constant, for students who learn differently. Ms. Rehn told of four examples of successes in the program. This program is a great resource for rural communities.

Co-Chair Newbold ask how long the contract is for, if the chart reflects that everyone who has graduated is ready for kindergarten, and how was the grade level tested . Ms. Miner replied it began March 1,2009 and goes to the end of February 2010. Claudia responded that all of the first graduating students were ready for kindergarten.

Sen. Hillyard asked how the public finds out about this program and if all pre-kindergarten children were included, would the cost per student be the same? He asked what the original request was for funding and since the program has not been part of the local school districts would it work to have a preschool training program as part of the school district? Ms. Miner replied that the original funding request was \$9.6 million, which was cut twice to \$2.5 million. The cost per student would go down greatly if more students were involved,--the more students, the less the cost per student. She responded that notices were posted in the places that preschoolers would go, such as libraries and day cares, and fliers were also given out in school districts. There is also a website that is used. Ms. Miner responded that having the program as part of the school districts could be a way to expand the program, especially in smaller districts. The UpStart program can work in any area, but being available for all children would be best.

Sen. Buttars asked if \$25 million a year would be needed to run the UpStart program throughout the whole state, and what would happen with the students if that could happen? Ms. Miner responded that children would be more ready to enter school, teachers would have children on a more equal learning level, and Spanish speaking students would be more ready for school. The sooner you make the investment, the better it pays off. Ms. Rehn added that early intervention, especially on those with special needs, could be an investment for savings later, resources wouldn't be needed to help them catch up.

Rep. Gibson asked if there are other companies that have this type of program, and what is Imagine Learning. Ms Rehn replied no other company provides these services and that Imagine Learning is a school based program for pre-kindergarten students, with

emphasis on English as a second language, with service in the home.

Sen. Morgan asked if this program is available for students to enroll privately, not part of the State funding, and how much do they pay. She also asked how it is marketed for state and private enrollment. Ms. Miner replied that it is available for \$495 per family. Families are encouraged to participate because it is a personalized and individualized path and there is a concern for those in school, that learning loss will take place during the summer. Ms. Rehn added that families have to have a computer that is compatible with the programs software and one package could serve a family. Ms. Miner said that last year dual language brochures were distributed to free clinics, day cares, libraries, charter schools, and sent notes sent home with school age children explaining the program. There was also some small advertizing in newspapers. There is also a web site.

Rep. Lockhart asked if there is data that shows if people on the waiting list purchase the program privately. Ms. Rehn replied that some families purchased it, and some purchased after the child went to school, but because it is a non profit program, the selling of the software is not advertised as much.

Rep. Cosgrove commented that he is impressed with the outreach and partnerships developed. He asked about accountability and how we know if the children are learning and are doing their own work. Ms. Miner responded that there is an advisory committee, a third party evaluator selected by the State Office of Education, as well as listening to parents in 35 communities. In the beginning the research showed that students were obviously getting help, but now there is testing for the children. Someone from the audience responded that they have a separate account and password. Ms. Rehn added that the software is individualized.

Sen. Butters presented an idea that if there was an accelerated graduation, which would save money, and that money was put in programs such as UpStart, would that be the best use of funds? Ms. Miner replied that there is so much data that supports getting to children early, which is what Waterford has been doing for several years. She feels it would be wise to start with a pilot program.

ASSERT Program -- Analyst Patrick Lee explained to the subcommittee that the ASSERT program was funded in the FY 2007 general session for Autism Support Services Education Research and Training for students and with autism spectrum disorders and their families, as well as support for teachers of students with autistic disorders.

Dr. Tom Higbee, Associate Professor, USU, Founder and Director of the ASSERT Program, introduced Cheryl Smith, President of the Autism Council of Utah and Amy

Peters, Autism and Behavior Specialist, Weber School District. A handout was distributed and Dr. Higbee explained the ASSERT program to the subcommittee. Autism is a severe developmental disability which affects communication, social skills and many times is accompanied by severe behavioral problems. It is a spectrum disorder, which means it affects children in different ways, is the fastest growing disability category in the United States, and affects males more likely than females. In Utah there are over 3,000 students with autism being served under the federal category of autism spectrum disorders.

The primary focus of ASSERT is to provide the support and training to local school districts needed to provide effective, research-based education services to children with autism so they can be more independent and ultimately less of a financial stress on the district and the state. This is accomplished by providing direct services to a few through on-campus training classrooms, conducting research, and providing training, primarily to graduate students. ASSERT is based at Utah State University and so far, have partnered with four school districts, through consultation, to create a research based intensive training classroom for students with autism. Last year's budget cuts were backfilled with grant money, additional cuts will require reduction in students that can be served and a long term impact of reducing partnerships.

Cheryl Smith, President, Autism Council of Utah, as well as a parent of a child with autism explained that the ASSERT program takes a responsible, evidence based program that can train children with autism, into the schools, to assist students with autism to be able to inter act socially and prosper.

Amy Peters, Weber School District, Autism and Behavior Specialist, is able to function in her current position because of the training the district received through the ASSERT program. The district received ongoing support and training for five years, through course work and side by side coaching and modeling of how to handle students. Because of this training the district now operates an intensive research program that is self sustaining, and is a demonstration site for other districts.

Co-Chair Newbold asked how many of the school districts have worked with ASSERT. Dr. Higbee replied that working with a district requires a three year commitment, and there are currently four districts using this program, but there have been visitors, which receive some help, from most of the school districts.

Rep. Cosgrove learned that a key to helping autism is the earlier you identify a child with autism the more impact for the betterment of their life from then on. He asked what percentage of advancement is captured by identifying children at an early age. Dr. Higbee responded that early identification is the key and ASSERT is a preschool based

classroom, as well as supports classrooms beyond. Data shows that investment in early years pays dividends in later years.

Sen. Buttars asked if the ASSERT program can handle students with extreme autism that are behaviorally very challenging. Dr. Higbee replied absolutely! When a child is diagnosed early, other ways of communication can be taught and behavior problems derailed. Ms. Peters responded with an example of a child that she had worked with.

Sen. Hillyard commented that taking a program into the classroom is the strength of the program. He is concerned that a percent budget reduction could destroy a program of this type and would like the chairs to think about whether it is better to reduce these types of programs or do we stop funding the program.

Co-Chair Stephenson resumed chair.

Sound Beginning Program -- Mr. Lee explained to the subcommittee that this is an early education program which provides home and center based services to children with hearing loss. It has been funded since FY 2008.

Beth Foley, Department Head, Communicative Disorders and Deaf Education, Utah State University (USU) explained that Sound Beginnings is a program for children from birth to age 5 which focus on auditory learning and spoken language. Deafness is one of the most frequent birth defects in the U.S., and unless deaf children receive intensive early intervention, they will have serious cognitive language and social deficits. Because of new technology, early intervention can help a child develop normal language and be successful in school by kindergarten. The Sound Beginnings Program goals are to work with the Utah Schools for the Deaf and the Blind (USDB) and other education agencies to provide direct service to more children and provide training and support to teachers to improve and expand existing programs.

They have used appropriation funds to increase the number of children receiving services, provide in-service training workshops, investigate tele-intervention and tele-audiology, secure federal funding, provide services in rural areas, establish graduate degree programs, pediatric audiology services and establish a partnership with USDB and USU.

Other USOE Initiative Programs -- Larry Shumway, State Superintendent, Utah State Office of Education, clarified that the 2% cut in the Public Education Budget for FY2010 is in ongoing funds, but it also reduces all of the one-time funds, which results in a 12% total reduction.

Rep. Cosgrove asked if that included the increased enrollment growth funded for FY 2010 but not FY 2011. Mr. Leishman commented that the enrollment growth that are WPU driven is included. Superintendent Shumway responded that it is hard to say that enrollment growth was funded, when the budget was reduced. Co-Chair Stephenson, stated the districts, where there was student growth, didn't suffer disproportionately, because new students received the same amount as existing students.

Todd Hauber, Associate Superintendent, Utah State Office of Education, explained the ProStart Restaurant Management and Culinary Arts Education Program, an industry based curriculum program funded to provide for teacher training, student competition and administration of the program by the Restaurants Association.

The Career and Technical Education Online Testing Program, is a program that transitions the CTE from a pencil and paper testing to online testing. By the end of the 2009-2010 school year, it is predicted that 100% of CTE testing will be online. It is much more efficient and has reduced expenditures.

Rep. Cosgrove asked how many programs are there from the CTE online testing assessment? Superintendent Shumway replied that there are 130 different tests across all curriculums.

The General Financial Literacy Program implemented in FY 2008, provides curriculum integration plans, common messaging, finance in the classroom projects, personal development programs, and a website.

The Carson Smith Scholarship Program is a private tuition scholarship for students that qualify for special education services. Superintendent Shumway commented that Cheryl Smith who reported on the ASSERT program, is the mother of Carson, who the program is named after.

Para Educator to Teacher Scholarships, are awarded to educators as they enter into the teaching field and want to become licensed.

Co-Chair Stephenson commented that these are little pockets of money, but have a huge significance in the lives of those affected by them.

Rep. Gibson commented that it is apparent that these smaller programs can account for where the money is going and he can see how many lives are being affected.

The ELL Software Licenses contract was awarded to Imagine Learning to accelerate

English Language Learning. Imagine Learning will provide engine servers, headsets, four hours of training, and technical support to the schools.

Superintendent Shumway replied that these programs use small amounts of funding, but have great impacts. He is very proud of public schools. The impact to the Minimum School Program impacts our students in the school. The return on the investment we receive from educating students is great.

Rep. Cosgrove expressed appreciation and commented that the real work that is going on in Public Education is often unappreciated. He would like to see each of these programs needs met.

Rep. Reisen also expressed appreciation, and wanted clarification on the statement concerning the 12%, plus not funding new students. Superintendent Shumway responded that if base budget were adopted and nothing else done, that would be the case, with 11,000 additional students.

MOTION: Sen. Buttars moved to adjourn.

Co-Chair Stevenson adjourned the meeting at 4:45 P.M.

Minutes were reported by Karen C. Allred, Senate Secretary

Sen. Howard A. Stephenson, Co-Chair

Rep. Merlynn T. Newbold, Co-Chair